

CONTINUING PATENT APPLICATION TRANSMITTAL  
(for Continuing Applications under 37 C.F.R. §1.53(b))

Attorney Docket No. 05237.0003.CPUS00

First Named Inventor or  
Application Identifier: Charles J. Link et al.

03940 U.S. PRO  
10/660893  
09/12/03

6-3338  
Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a request under 37 C.F.R. §1.53(b) for  
filing a:

( ) Continuation application,  
( ) Divisional application,  
(x) Continuation-in-Part application,

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
) "Express Mail" Mailing Label Number  
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) Date of Deposit September 12, 2003  
) I hereby certify that this paper or fee is being deposited  
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Office to Addressee" Service under 37 CFR §1.10 on the  
date indicated above and is addressed: Mail Stop PATENT  
APPLICATION; Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450  
) Theresa A. Barnstable  
(Typed or printed name of person mailing)  
) Theresa A. Barnstable  
(Signature of person mailing)

1. (x) Enclosed is a patent application which is a **Continuation-in-part** application of U.S. Application No. 09/811,842, filed March 19, 2001 containing:  
\_\_\_\_\_  
94 pages of the specification (including claims).  
\_\_\_\_\_  
40 sheets of drawings ( ) Formal (x) Informal.

2. ( ) A copy of the executed oaths or declarations filed in each of the prior nonprovisional applications are enclosed.

3. **Inventorship:**  
( ) A newly-executed oath or declaration and power of attorney is enclosed (for continuation-in-part applications, or for continuation or divisional applications naming an inventor not named in the prior application) (§1.63(a), (d)(5), and (e)).  
( ) Because this application is being filed by fewer than all of the inventors named in the prior application, delete the following inventor(s) named in the prior nonprovisional application (37 C.F.R. §1.63(d)(1)(2)): \_\_\_\_\_  
\_\_\_\_\_  
(x) The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted oath or declaration and power of attorney (§1.41(a) and §1.53(b)).

4. ( ) Assignment(s) of the invention to \_\_\_\_\_, and cover sheet are enclosed.  
( ) A check in the amount of \$ \_\_\_\_\_ to cover the fee for recording the assignment(s) is enclosed.

Use this name is not in the list

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5.  The prior U.S. Application is assigned of record to

Reel \_\_\_\_\_ and Frame \_\_\_\_\_

6.  A 37 C.F.R. §3.73(b) statement is enclosed (*where an assignee seeks to take action in a matter before the Patent Office*).

7.  Preliminary Amendment is enclosed.

8. **Drawings**

Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (*May be used only if signed by person authorized by §1.138 and before payment of base issue fee.*)

New formal drawings are enclosed.

Informal drawings are enclosed.

9.  A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.

10.  An Information Disclosure Statement, PTO/SB/08A and PTO/SB/08B are enclosed.

11.  A MicroFiche Computer Program (Appendix) is enclosed.

12.  A Return Receipt Postcard is enclosed (MPEP §503).

13.  A Nucleotide and/or Amino Acid Sequence Submission is enclosed.

A Computer Readable Copy is enclosed.

A Paper Copy (*identical to computer copy*) is enclosed.

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( ) A Statement Verifying Identity of above copies is enclosed.

14. Power of Attorney

(x) The Power of Attorney in the prior application is to:

( ) \_\_\_\_\_ Reg. No. \_\_\_\_\_,

and other members of the firm.

( ) Customer Number

( ) The power appears in the original papers in the prior application.

(x) Since the power does *not* appear in the original papers in the prior application, a copy of the power in the prior application is enclosed.

16. Filing Fee Calculation (37 C.F.R. §1.16)

(x) Utility Application

CLAIMS AS FILED – INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		LARGE ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
<b>BASIC FEE</b>				<b>\$375.00</b>		<b>\$750.00</b>
<b>TOTAL</b> (No. of claims – 20=)	<b>116</b>	<b>12</b>	<b>X \$9.00</b>	<b>1044.00-</b>	<b>X \$18.00</b>	
<b>INDEP.</b> (No. of claims – 3=)	<b>2</b>	<b>11</b>	<b>X \$42.00</b>	<b>---</b>	<b>X \$84.00</b>	
Assumed no multiple dependent claims – <input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ \$140.00	140.00	+ \$280.00	0
<b>Filing Fee =</b>				<b>1559.00</b>	<b>\$</b>	

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17. Other Fees

( <input type="checkbox"/> )	Recording Assignment [Fee – \$40.00 per assignment]	\$ _____
( <input type="checkbox"/> )	Petition fee for filing by other than all the inventors or person on behalf of the inventor where refused to sign or cannot be reached [Fee – \$130.00]	\$ _____
( <input type="checkbox"/> )	Other – _____	\$ _____
<b>Total Fees Enclosed</b>		\$ _____

18. Method of Payment of Fees

( <input type="checkbox"/> )	Enclosed is our firm check in the amount of:	\$ _____
( <input checked="" type="checkbox"/> )	Charge \$ <u>1559.00</u> Deposit Account No. 08-3038.	
19. ( <input checked="" type="checkbox"/> )	The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 08-3038. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-3038. This sheet is filed in duplicate.	

Please direct all future communications to:

IP PROSECUTION  
**HOWREY SIMON ARNOLD & WHITE, LLP**  
Box No. 34  
1299 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2402  
(202) 783-0800

Customer I.D. No. 22930

Respectfully Submitted,

By: \_\_\_\_\_  
David W. Clough, Ph.D.  
Registration No. 36,107

September 12, 2003  
(Date)

HOWREY SIMON ARNOLD & WHITE, LLP  
321 N. Clark Street, Suite 3400  
Chicago, Illinois 60610  
(Direct) Phone No. (312) 595-1408  
(Direct) Fax No. (312) 595-2250